

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
S/S Joppa Road, 85' E of the * DEPUTY ZONING COMMISSIONER
c/l of Tally Ho Road (2229 W. Joppa Road)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 91-194-SPH
Benedictine Sisters of
Baltimore, Inc. - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an existing building for religious worship in a D.R. 1 zone which has been used as a convent, and the proposed additions thereto, comply to the extent possible with RTA use requirements and is compatible with the character and general welfare of the surrounding residential premises in accordance with Petitioner's Exhibit 1.

The Petitioners, by Sister Kathleen White, appeared, testified and were represented by Stephen W. Lafferty, Esquire. Also appearing on behalf of the Petition was Michael Murphy, Architect with Murphy & Dittenhafer, Brother Frank J. O'Donnell, Jr., Jorgen Jensen, President of the Heatherfield Association, and Leo and Grace Otterbein, adjoining property owners. Appearing as an interested party was John Dause, an adjoining property owner. There were no Protestants.

Testimony indicated that the subject property known as 2229 West Joppa Road, consists of 2.8 acres zoned D.R. 1 and is the site of the Emmanuel Monastery, a convent/residence for the Benedictine Sisters of Baltimore, Inc. who purchased the property in 1986. Testimony indicated Petitioners have used the subject property as the residence for approximately 11 sisters and as the location for their chapel. Due to the lack of space on the site, approximately 6 of the 17-Sister membership rent convent

space in Brooklyn. Petitioners are desirous of constructing a two-story residential addition on the southwest end of the existing structure to provide additional living space for the Sisters. Petitioners are also desirous of constructing a new one-story Chapel addition off the center of the structure as depicted on Petitioner's Exhibit 1. Sister Kathleen testified the existing Chapel is currently located right off of the main entrance foyer near the kitchen and is not buffered from any noise associated with their use.

Mr. Murphy testified in detail as to the site constraints regarding construction of the proposed additions. Testimony indicated that the existing driveway is the only improvement in the RTA area. The proposed additions are being constructed to the rear of the site which abuts the Jones Falls Expressway and are as far away from the surrounding residential community as possible. Testimony indicated that the proposed additions will architecturally be of the same materials and style as the existing residential structure. The beauty of the existing structure is clearly depicted in photographs marked Petitioner's Exhibits 5A through 5C. Mr. Murphy testified the original building is believed to have been constructed in the late 1890s, early 1900s. Testimony indicated that if the additions are built as depicted on Petitioner's Exhibit 1, there will be 24 bedrooms and will include a few rooms reserved for visitors. Mr. Murphy described in detail the existing and proposed interior layout. Testimony indicated that there is now and will only be one kitchen. Further testimony indicated that the Chapel is limited to the convent community and their guests and that the general public is not invited to mass at any time during the year. Testimony indicated that generally the only time

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that larger numbers of visitors or guests are invited to mass is around the Christmas holiday and other religious holy days.

Mr. Otterbein, adjoining property owner at 2223 W. Joppa Road, appeared and testified on behalf of the Petition. He testified that he lives to the right of the subject property and that he has no objections to the Petitioners' plans. Mr. Otterbein indicated that it is his understanding the exterior of the facade will be compatible to the existing building.

Mr. Jensen appeared and testified on behalf of the Heatherfield Association and himself. He indicated that it was his personal opinion that the proposed additions will have no impact on the surrounding community provided the use is as presented by the Petitioners. Mr. Jensen testified that the matter was raised at the Executive Committee meeting of his Association in November, 1990 at which time there was no objection to the proposed additions.

The B.C.Z.R. require a finding that the proposed project complies to the extent possible with RTA use requirements and that it is otherwise compatible with the character and general welfare of the surrounding residential premises. Clearly, the testimony and evidence presented here is that the Petitioners' proposal will place the proposed additions on the property farthest from the surrounding residential uses and will best buffer the community. Further, the Petitioners have agreed that the proposed additions will be compatible with the existing building as depicted in Petitioner's Exhibits 5A through 5C.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It

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has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of February, 1991 that the Petition for Special Hearing to approve that the existing building in a D.R. 1 zone which has been used as a convent, and the proposed additions thereto, comply to the extent possible with RTA use requirements and is compatible with the character and general welfare of the surrounding residential premises, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit any documentation requested by the County detailing the exterior facade construction materials. The exterior of the proposed additions shall be constructed of materials similar or identical to the existing structure.
- 3) The subject Chapel shall be limited to use by the community residing on the subject property and their personal guests. At no time shall the Chapel be open to the general public.

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PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-194-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a building for religious worship in a D.R. 1 zone that has been used as a convent and which complies, to the extent possible, with the RTA use requirements and is compatible with the character and general welfare surrounding residential premises.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Benedictine Sisters of Baltimore, Inc.
(Type or Print Name)
Signature: Kathleen White, President
Address: St. Kathleen White, OSB, President
(Type or Print Name)
City and State: Baltimore, Md.
Attorney for Petitioner: Stephen W. Lafferty
(Type or Print Name)
Signature: Stephen W. Lafferty
Address: Suite 408, 305 W. Chesapeake Ave.
City and State: Towson, Md. 21204
Attorney's Telephone No.: 823-2230
Name: Michael Murphy, Representative
Address: 800 N. Charles St.
City and State: Baltimore, Md. Phone No. 625-4823

ORDERED By The Zoning Commissioner of Baltimore County, this 24 day of Oct 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22 day of JAN 1991, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Z.C.O.-No.1

(over)

mjk - 10/3/90
and anyone
not time 1 hr.

4) The existing convent with the proposed additions shall at no time contain more than one kitchen.

5) Compliance with the Zoning Plans Advisory Committee comments submitted hereto, including, but not limited to, the comments submitted by the Office of Planning dated December 3, 1990, and the comments submitted by the Department of Permits and Licenses dated October 12, 1990, attached hereto and made a part hereof.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjjs

111 West Chesapeake Avenue
Towson, MD 21204

February 12, 1991

887-3353

Stephen W. Lafferty, Esquire
305 W. Chesapeake Avenue, Suite 408
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
S/S Joppa Road, 85' E of the c/l of Tally Ho Road
(2229 W. Joppa Road)
9th Election District - 4th Councilmanic District
Benedictine Sisters of Baltimore, Inc. - Petitioners
Case No. 91-194-SPH

Dear Mr. Lafferty:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Maccliff at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

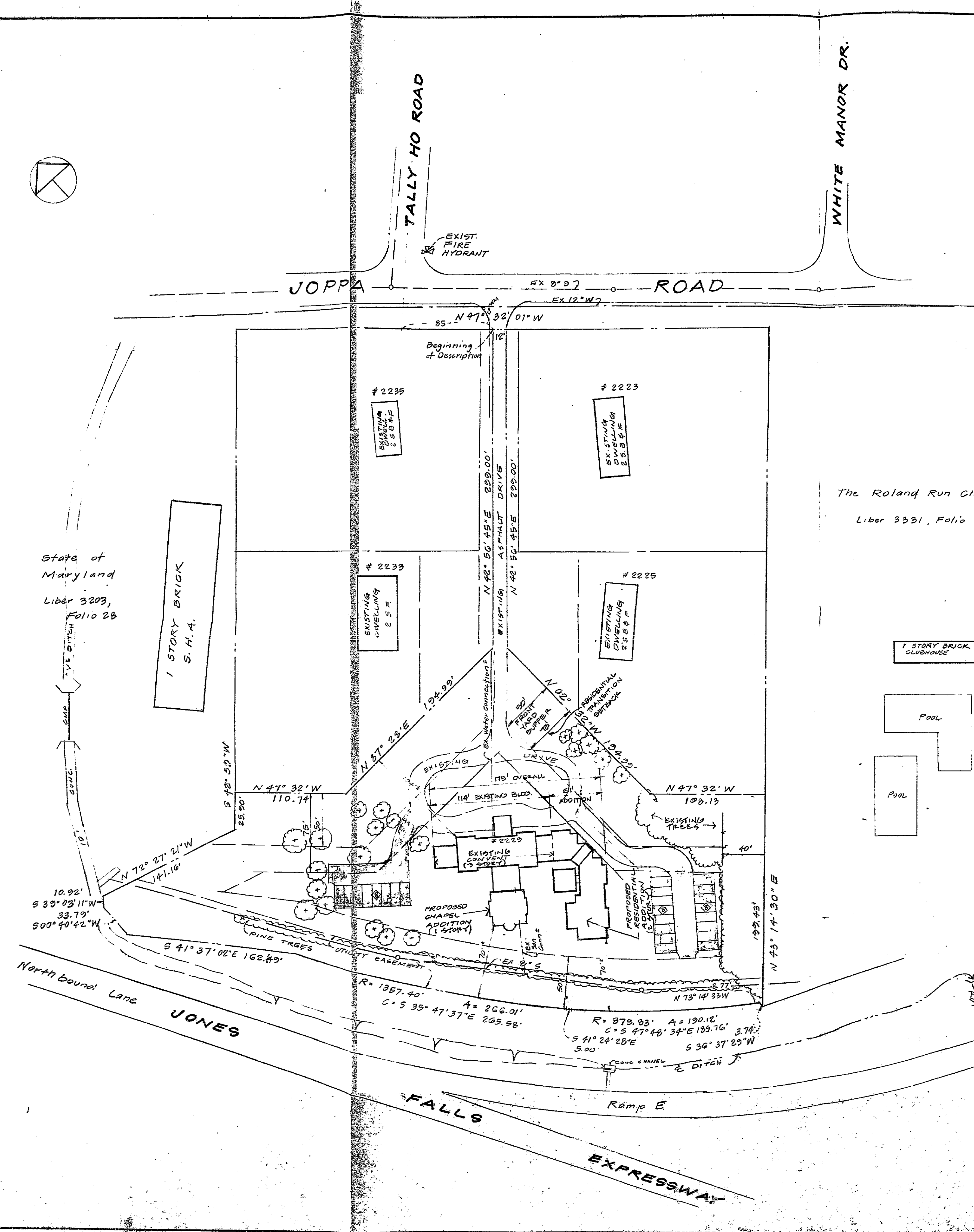
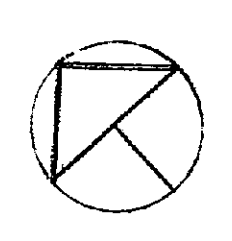
ANN:bjjs

cc: People's Counsel

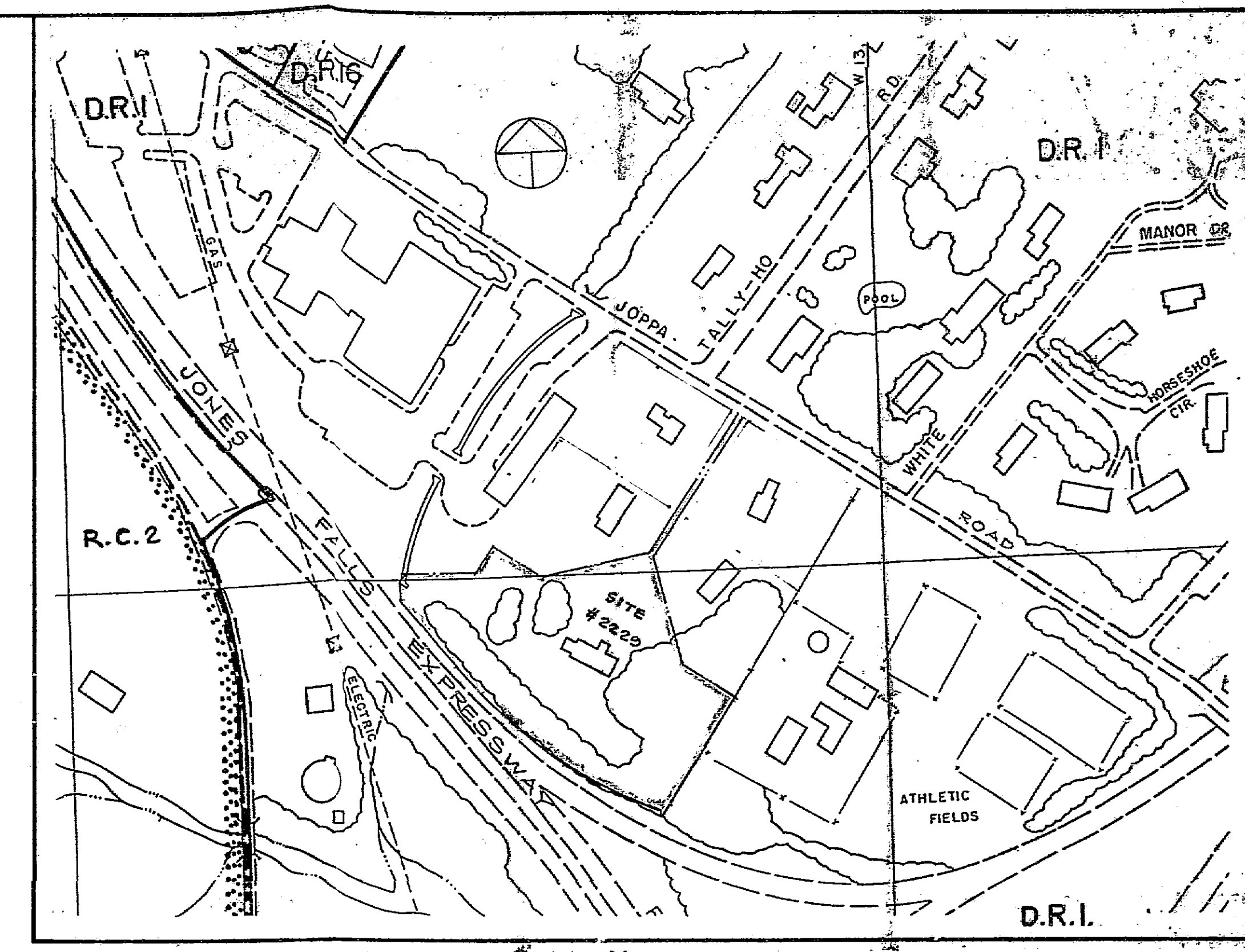
File

ORDER RECEIVED FOR FILING
Date 10/3/90
By [Signature]

- 5 -



The Roland Run Club, Inc.
Liber 3331, Folio 281



ZONING & VICINITY MAP
1" = 200'

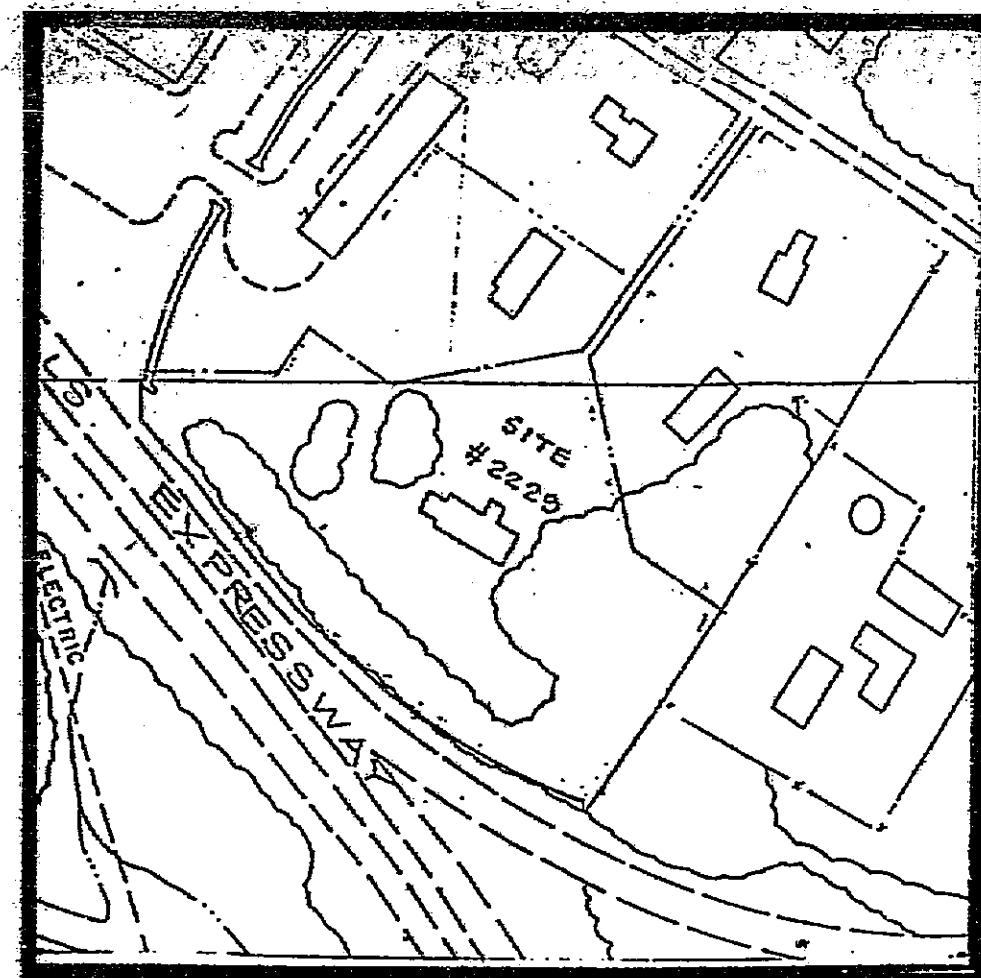
NOTES:

- Owner: Benedictine Sisters of Baltimore, Inc.
Deed Reference: Liber Folio
Lots 5 "Mill Farm Estates"
P.B. E.H.K., Jr. 40 Folio 107
- Existing Zoning: D.R.1
- Existing Use: Convent
- Site is served by public water and sewer.
- Total area of Property: 2.8 acres, ±
- Property outline shown hereon is from available data and not from a property line survey.
- Parking Data:
Based on number of bedrooms,
Existing 12 rooms, Proposed 12 rooms,
Total 24 rooms
24 parking spaces required
24 parking spaces provided
Typical space shown: 9'x20', all spaces to be striped.
- Occupancy permit from a single family dwelling to a convent issued August 18, 1987.
- The property shown hereon is subject to any and all agreements, easements, rights of way and/or covenants of record and law.
- Existing trees shown to remain.
- Requested exceptions to RTA restrictions:
 - Request that length of elevation facing North be 175'. Note that existing north facing elevation is 114'. Note that existing north facing elevation including carport is 145'.
 - Request that existing drive be permitted within required 50' buffer area.

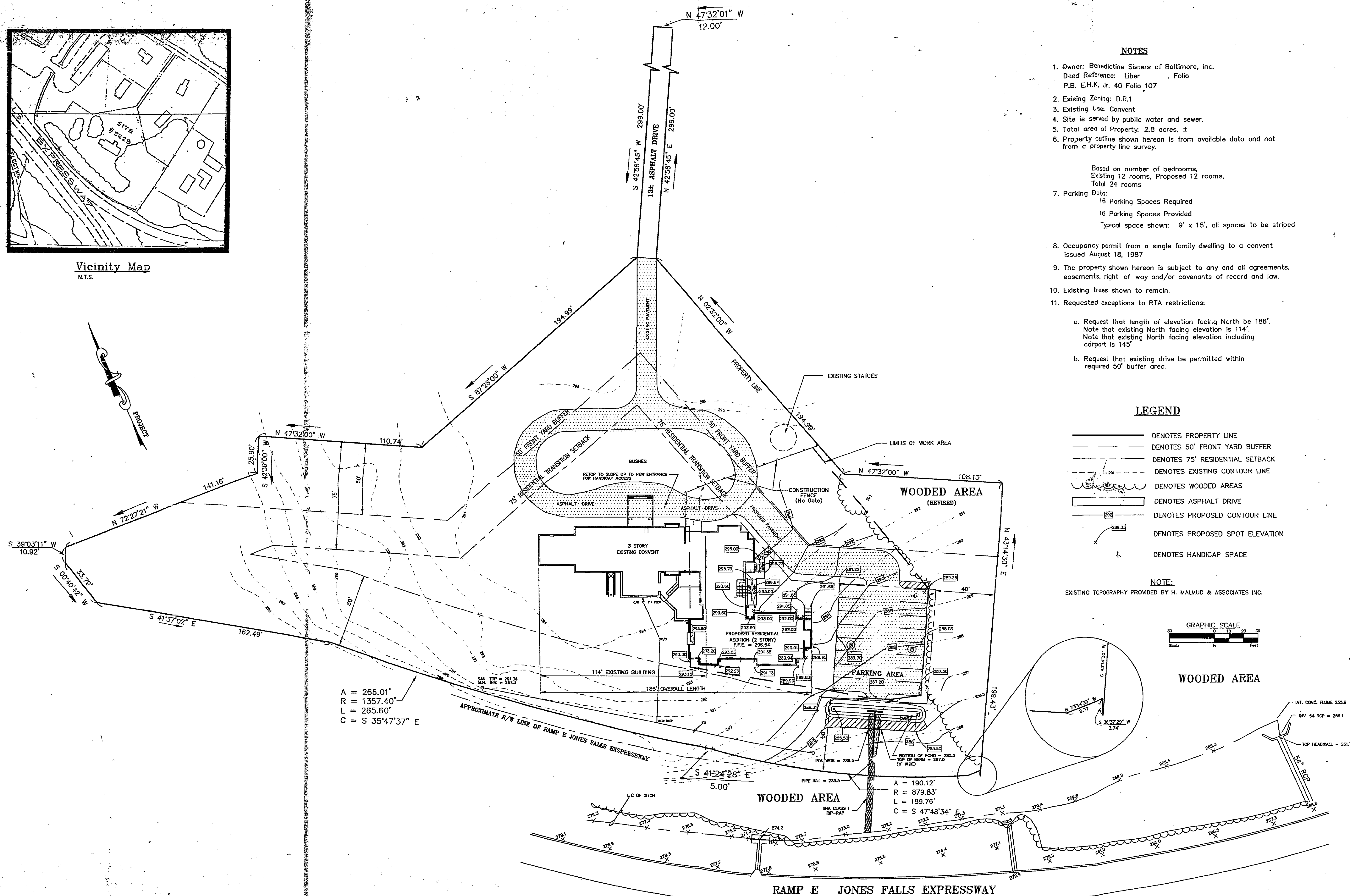
PLAT TO ACCOMPANY PETITION
FOR A SPECIAL HEARING
BENEDICTINE SISTERS OF BALTIMORE
EMMANUEL MONASTERY
2223 W. JOPPA ROAD - LUTHERVILLE
5TH ELECTION DISTRICT - BALTIMORE CO., MD.
4TH COUNCILMANIC DISTRICT

Scale: 1" = 50'
June 15, 1990
Prepared by:
H. HALL & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21208
Telephone (301) 553-1931





Vicinity Map
N.T.S.



A = 266.01'
R = 1357.40'
L = 265.60'
C = S 35°47'37" E

WOODED AREA

RAMP E JONES FALLS EXPRESSWAY

NOTES

- Owner: Benedictine Sisters of Baltimore, Inc.
Deed Reference: Liber Folio
P.B. E.H.K. Jr. 40 Folio 107
 - Existing Zoning: D.R.1
 - Existing Use: Convent
 - Site is served by public water and sewer.
 - Total area of Property: 2.8 acres, ±
 - Property outline shown hereon is from available data and not from a property line survey.
- Based on number of bedrooms,
Existing 12 rooms, Proposed 12 rooms,
Total 24 rooms
- Parking Data:
16 Parking Spaces Required
16 Parking Spaces Provided
Typical space shown: 9' x 18', all spaces to be striped
 - Occupancy permit from a single family dwelling to a convent issued August 18, 1987
 - The property shown hereon is subject to any and all agreements, easements, right-of-way and/or covenants of record and law.
 - Existing trees shown to remain.
 - Requested exceptions to RTA restrictions:

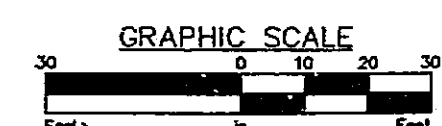
- Request that length of elevation facing North be 186'.
Note that existing North facing elevation is 114'.
Note that existing North facing elevation including carport is 145'
- Request that existing drive be permitted within required 50' buffer area.

LEGEND

- DENOTES PROPERTY LINE
- DENOTES 50' FRONT YARD BUFFER
- DENOTES 75' RESIDENTIAL SETBACK
- DENOTES EXISTING CONTOUR LINE
- DENOTES WOODED AREAS
- DENOTES ASPHALT DRIVE
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES HANDICAP SPACE

NOTE:

EXISTING TOPOGRAPHY PROVIDED BY H. MARMUD & ASSOCIATES INC.

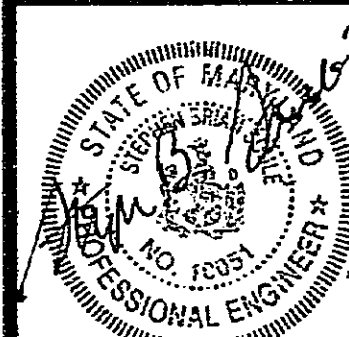


WOODED AREA

SOULÉ & ASSOCIATES, P.C.
ENGINEERING / SURVEYING / PLANNING
122 ARLINGTON ROAD
ARLINGTON BUSINESS CENTER
SALISBURY, MARYLAND 21801
(410) 742-7797

REVISIONS	Issued for
Date	

SITE, SWM, SEC PLAN
STRUCTURES ALONG RAMP E OF JONES FALLS EXPRESSWAY
AND BALTIMORE BELTWAY
STORM DRAIN STUDY FOR EMMANUEL MONASTERY
BALTIMORE COUNTY, MARYLAND



Designed By
S. SOULE
Drawn By
D.L.A./L.W.H.
Date
9/8/98
Job No.
97-288
Drawing File No.
97288SST.dwg
Sheet No.

1 OF 2

Date Plotted: 9/9/98
Soulé & Associates, P.C. shall remain responsible for copyright and other property rights in these plans. These plans are not to be reproduced, changed or copied in any form or by any means, nor are they to be used for any other project without the express written permission and consent of Soulé & Associates, P.C.

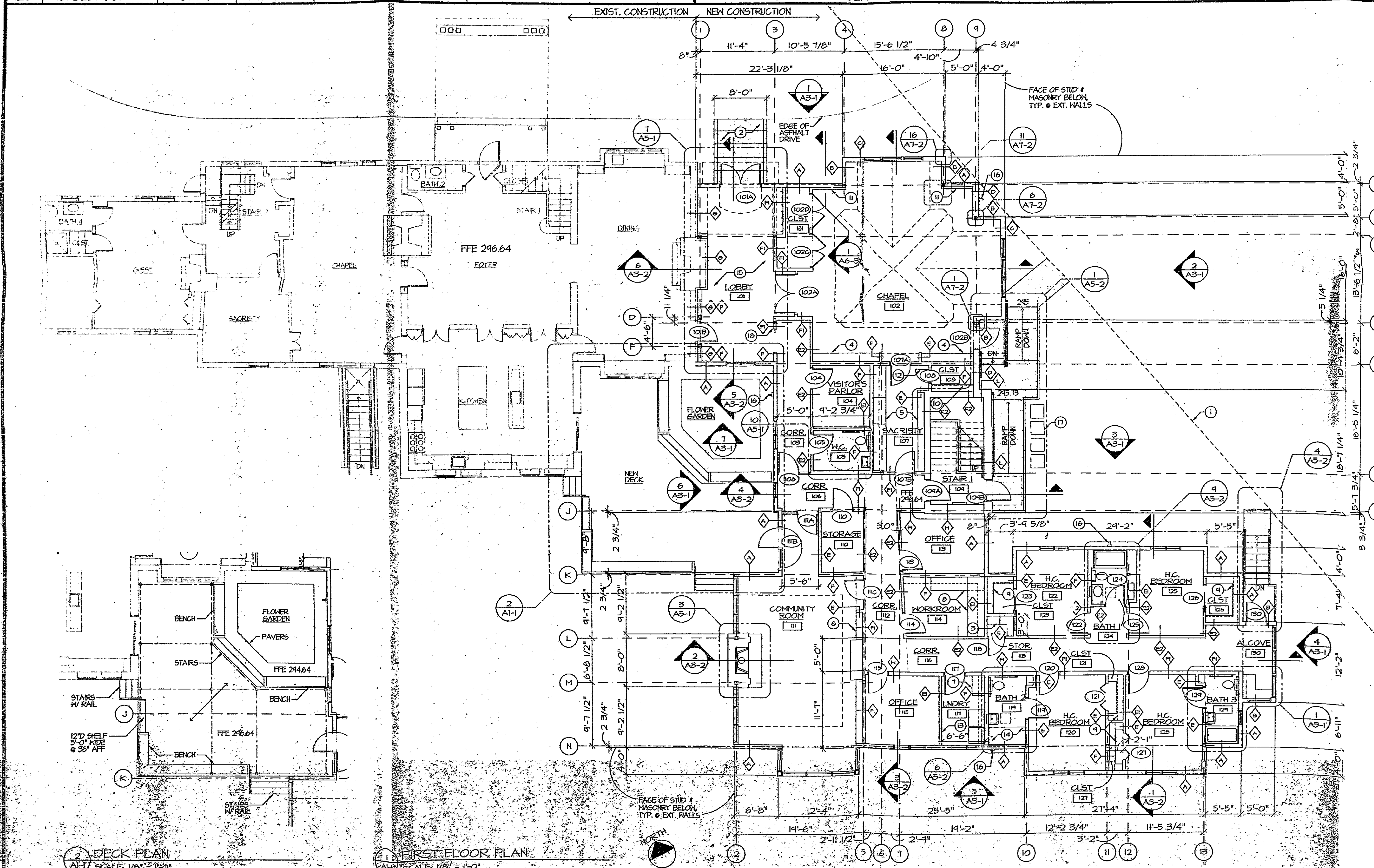
NO	NAME	FLOOR	BASE	WALL	CEILING	NOTES
101	LOBBY	CPT	PTD WD-1	PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
102	CHAPEL	CPT-1	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 4'-6" AFF
103	CORRIDOR	CPT-2	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 3'-4" AFF
104	VISITOR'S PARLOR	GPT-2	PTD WD-1	PTD	PTD	
105	WATER CLOSET	PT	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 3'-4" AFF
106	CORRIDOR	CPT-2	PTD WD-1	PTD	PTD	
107	SACRISTY	VCT	RB	PTD	PTD	
108	CLOSET	VCT	RB	PTD	PTD	
109	STAIR 1	CPT-2	PTD WD-2	PTD	PTD	
110	STAIR 2	VCT	RB	PTD	PTD	
111	COMMUNITY ROOM	CPT-2	PTD WD-2	PTD	PTD	
112	CORRIDOR	CPT-2	PTD WD-2	PTD	PTD	
113	OFFICE	CPT-2	PTD WD-2	PTD	PTD	
114	WORKROOM	VCT	RB	PTD	PTD	
115	OFFICE	CPT-2	PTD WD-2	PTD	PTD	
116	CORRIDOR	CPT-2	PTD WD-2	PTD	PTD	
117	LAUNDRY	VCT	RB	PTD	PTD	
118	STORAGE	CPT-2	PTD WD-2	PTD	PTD	
119	BATH 2	CT	CT	CT/PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
120	H.C. BEDROOM	CPT-3	PTD WD-2	PTD	PTD	

NO	NAME	FLOOR	BASE	WALL	CEILING	NOTES
101	LOBBY	CPT	PTD WD-1	PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
102	CHAPEL	CPT-1	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 4'-6" AFF
103	CORRIDOR	CPT-2	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 3'-4" AFF
104	VISITOR'S PARLOR	GPT-2	PTD WD-1	PTD	PTD	
105	WATER CLOSET	PT	PTD WD-1	WD/PTD	PTD	TOP OF MAINSCOT @ 3'-4" AFF
106	CORRIDOR	CPT-2	PTD WD-1	PTD	PTD	
107	SACRISTY	VCT	RB	PTD	PTD	
108	CLOSET	VCT	RB	PTD	PTD	
109	STAIR 1	CPT-2	PTD WD-2	PTD	PTD	
110	STAIR 2	VCT	RB	PTD	PTD	
111	COMMUNITY ROOM	CPT-2	PTD WD-2	PTD	PTD	
112	CORRIDOR	CPT-2	PTD WD-2	PTD	PTD	
113	OFFICE	CPT-2	PTD WD-2	PTD	PTD	
114	WORKROOM	VCT	RB	PTD	PTD	
115	OFFICE	CPT-2	PTD WD-2	PTD	PTD	
116	CORRIDOR	CPT-2	PTD WD-2	PTD	PTD	
117	LAUNDRY	VCT	RB	PTD	PTD	
118	STORAGE	CPT-2	PTD WD-2	PTD	PTD	
119	BATH 2	CT	CT	CT/PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
120	H.C. BEDROOM	CPT-3	PTD WD-2	PTD	PTD	

NO.	NAME	FLOOR	BASE	WALL	CEILING	NOTES
121	CLOSET	CPT-3	PTD WD-2	PTD	PTD	
122	H.C. BEDROOM	CPT-3	PTD WD-2	PTD	PTD	
123	CLOSET	CPT-3	PTD WD-2	PTD	PTD	
124	BATH 1	CT	CT	CT/PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
125	H.C. BEDROOM	CPT-3	PTD WD-2	PTD	PTD	
126	CLOSET	CPT-3	PTD WD-2	PTD	PTD	
127	CLOSET	CPT-3	PTD WD-2	PTD	PTD	
128	H.C. BEDROOM	CPT-3	PTD WD-2	PTD	PTD	
129	BATH 3	CT	CT	CT/PTD	PTD	SEE 2/A5-1 FOR FLOOR TILE PATTERN
130	ALCOVE	CPT-3	PTD WD-2	PTD	PTD	
131	CLOSET	VCT	PTD WD-1	PTD	PTD	
FINISH DESIGNATIONS:						
FLOORING:		12X12 PORCELAIN PAVER TILE		WALL:	CT	CERAMIC TILE WAINSCOT
PT		VINYL COMPOSITION TILE			WD	WOOD PANEL WAINSCOT @ ALL WALLS
CPT-1		CARPET			*	SEE DETAIL 3/A7-2
CPT-2		CARPET				WAINSCOT @ WEST WALL ONLY
CPT-3		CARPET				
CT		2X2 CERAMIC MOSAIC TILE		CEILING:	PNT	PAINTED GYPSUM BOARD
RB		RUBBER BASE				
PNT WD-1		PAINTED WOOD TYPE 1; SEE 3/A7-2.				
PNT WD-2		PAINTED WOOD TYPE 2; SEE 3/A7-2.				
CT		CERAMIC TILE				

1. SEE A4-1 FOR WALL TYPES.
2. NO WD BASE @ BASEBOARD HEATER LOCATIONS. SEE MECH. D4-55.

FLOORING:	PT	12X12 PORCELAIN PAVER TILE	WALL:	CT	CERAMIC TILE WAINSCOT
	YCT	VINYL COMPOSITION TILE		WD	WOOD PANEL WAINSCOT @ ALL WALLS
	CPT-1	CARPET			WALO SEE DETAIL 3/AT-2
	CPT-2	CARPET		*	WAINSCOT @ WEST WALL ONLY
	CPT-3	CARPET			
	CT	2X2 CERAMIC MOSAIC TILE	CEILING:	PNT	PAINTED GYPSUM BOARD
BASE:	RB	RUBBER BASE			
	PNT WD-1	PAINTED WOOD TYPE 1; SEE 3/AT-2.			
	PNT WD-2	PAINTED WOOD TYPE 2; SEE 3/AT-2.			
	CT	CERAMIC TILE			



- 1) 75' RESIDENTIAL TRANSITION SETBACK. SEE CIVIL DWG 1 OF 10
- 2) CONC. WALK, SLOPE @ 1:20 TO RETOPPED ASPHALT DRIVE. SCORE AS SHOWN.
- 3) 15"D AND (3) 12"D SHELVES.
- 4) SEE 1/A8-1 FOR BUILT-IN CASEWORK.
- 5) SEE 2/A8-1, 3/A8-1 FOR BUILT-IN CASEWORK.
- 6) SEE 4/A8-1 FOR BUILT-IN CASEWORK.
- 7) SEE 5/A8-1 FOR BUILT-IN CASEWORK.
- 8) SEE 6/A8-1, 1/A8-1 FOR BUILT-IN CASEWORK.
- 9) 12"D SHELF AND ROD @ 54" AFF.
- 10) 12"D SHELF & ROD @ 60" AFF.
- 11) WALL FURRED OUT AS PER DETAIL 1/A7-2.
- 12) PROVIDE FULL LENGTH MIRROR ON INSIDE OF CLOSET DOOR.
- 13) RECESSED WALL HEATER. SEE MECH. DWG6.
- 14) DEPRESS 1ST FLOOR JOISTS 1 1/4" @ BATH 2 (RM 119) SUFFICIENT TO ACCOMMODATE H.C. SINKER UNIT. BUILD UP REMAINING AREA TO SUBFLOOR FLOOR N/ 4" 1/2" PLIND & 1/2" CBG AS TILE SUBSTRATE.
- 15) DEPRESS 1ST FLOOR JOISTS & SUBFLOOR OF LOBBY (RM 101) 1/2" THROUGHOUT EXTENT OF PORCELAIN PAVET TILE FINISH. PROVIDE 1/2" CBG AS TILE SUBSTRATE.
- 16) HOSE BIBB. SEE MECH. DWG5.
- 17) CONDENSING UNITS. SEE MECH. DWG6.
- 18) CASSED OPENINGS. CASING TYPE I, SEE 8/A7-2.

EMMANUEL MONASTERY
2229 W. JOPPA ROAD LUTHERVILLE, MD 21083

Murphy & Divenhofer

Project 97067	Date 9.8.98	
Drawn By LD, LA	Checked LD	
Revisions		
No.	Date	Item
FIRST FLOOR PLAN		
Drawing Number A1-1		

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number
Ne 3581

10/02/90 H5100145

PUBLIC HEARING FEES QTY PRICE
040 -SPECIAL HEARING (OTHER) 1 X \$175.00
TOTAL: \$175.00

LAST NAME OF OWNER: BEN. SISTERS BALT

04004003M1CHRC \$175.00
EA 000352PM10-03-90
Please make checks payable to: Baltimore County NEXT BUSINESS DAY

Cashier Validation:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 12-27-90

Posted for: Special Hearing

Petitioner: Benedictine Sisters of Baltimore, Inc.

Location of property: S/S of Joppa Road, 85' E of centerline Tally Ho Road

Location of Sign: South side of Joppa Road, at entrance to subject property

Remarks: M. D. Dyer

Posted by: M. D. Dyer Date of return: Jan 4 - 91

Number of Signs: 1

CERTIFICATE OF PUBLICATION
TOWSON, MD., 12-20, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-13, 1990

THE JEFFERSONIAN,
S. Zeke Orlan
\$ 71.69

CERTIFICATE OF PUBLICATION
TOWSON, MD., 12-20, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-13, 1990

TOWSON TIMES,
S. Zeke Orlan
\$ 71.69

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number
91-194 - SPH
PD - 1-22-91 - CER

12/02/90

PUBLIC HEARING FEES QTY PRICE
040 -SPECIAL HEARING (OTHER) 1 X \$175.00
TOTAL: \$175.00

LAST NAME OF OWNER: BEN. SISTERS BALT

04004003M1CHRC \$175.00
EA 000352PM10-03-90
Please Make Checks Payable To: Baltimore County NEXT BUSINESS DAY

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE: 1-3-91

Michael Murphy, Representative
Benedictine Sisters of Baltimore, Inc.
600 N. Charles Street
Baltimore, Maryland 21202

RE:
Petition for Special Hearing
CASE NUMBER: 91-194-SPH
S/S Joppa Road, 85' E of centerline Tally Ho Road
(Emmanuel Monastery, #2229 West Joppa Road)
9th Election District - 4th Councilmanic
Petitioner(s): Benedictine Sisters of Baltimore, Inc.
HEARING: TUESDAY, JANUARY 22, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 96.69 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Stephen W. Lafferty, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

November 29, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 91-194-SPH
S/S Joppa Road, 85' E of centerline Tally Ho Road
(Emmanuel Monastery, #2229 West Joppa Road)
9th Election District - 4th Councilmanic
Petitioner(s): Benedictine Sisters of Baltimore, Inc.
HEARING: TUESDAY, JANUARY 22, 1991 at 9:30 a.m.

Special Hearing to approve a building for religious worship.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Michael Murphy
Stephen W. Lafferty, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

January 10, 1991

Stephen W. Lafferty, Esquire
Suite 400, 305 W. Chesapeake Ave
Towson, MD 21204

RE: Item No. 145, Case No. 91-194-SPH
Petitioner: Benedictine Sisters of Baltimore, et al
Petition for Special Hearing

Dear Mr. Lafferty:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WIMIARSKI IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

October 24, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: Mr. James Dyer

Re: Baltimore County
Zoning meeting 10/23/90
Benedictine Sisters of Baltimore, Inc.
S/S Joppa Road
85' east of Tally Ho Road
Item # 145

Dear Mr. Haines:

We have reviewed the submittal for a special hearing to approve a building for religious worship and offer the following:

It appears the outfall for the proposed storm water will be within State Highway Administration right-of-way along the Jones Falls Expressway. Consequently, this outfall must be reviewed and approved by the SHA Hydraulics Section prior to issuance of building permits.

Also, we have forwarded this plan to our Planning Section to determine if there will be any impact to this property from our future beltway improvements.

We will forward their comments when they are received. If you have any questions, please call Larry Brocato (333-1350).

Very truly yours,
John Contestabile, Chief
Engineering Access Permits
Division

LB/es

cc: Benedictine Sisters of Baltimore
H. Malmud and Associates Inc.
Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0431 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 5, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

RE: Baltimore County
Benedictine Sisters of Baltimore Incorporated
Zoning meeting 10/23/90
S/S Joppa Road 85' east of Tally Ho Road
Item #145

Dear Mr. Haines:

The submittal for a special hearing to approve a building for religious worship has been reviewed by our Project Development Section and there will be no impact from our future beltway improvements.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,
John Contestabile, Chief
Engineering Access Permits
Division

LB/es

cc: Benedictine Sisters of Baltimore
Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0431 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 3, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Benedictine Sisters, Item No. 145

The Petitioner requests a Special Hearing to approve a building for religious worship in a D.R.1 zone that has been used as a convent and which complies, to the extent possible, with the R.T.A. use requirements and is compatible with the character and general welfare surrounding residential premises.

Staff supports the Petitioner's request, subject to the following:

- The proposed addition should be compatible with the existing building.
- Trees to remain shall be clearly identified and marked prior to grading and construction.
- The Applicant's plat should be amended to indicate the retention of trees in the R.T.A. buffers and the area adjacent to Ramp E of the Jones Falls Expressway.
- Prior to the issuance of any permits, the Petitioner shall file a landscape plan with the deputy director of the Office of Planning and Zoning.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM145/2AC1

received
12/11/90

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-3554

November 28, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for Z.A.C. item numbers 136, 140, 144, 145, 146, and 149.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reinecke
Chief

OCTOBER 24, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BENEDICTINE SISTERS OF BALTIMORE, INC.
Location: EMMANUEL MONASTERY #2229 WEST JOPPA ROAD
Item No.: 145 Zoning Agenda: OCTOBER 23, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 12-24-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Rec
10/24/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
OCTOBER 12, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES *C.E.B.*

SUBJECT: ZONING ITEM #: 145
PROPERTY OWNER: Benedictine Sisters of Baltimore, Inc.
LOCATION: 5/5 Joppa Road, 85' E of centerline Tally Ho Rd (Emmanuel Monastery, #2229 West Joppa Road)
SECTION DISTRICT: 9th
COUNCILMANIC DISTRICT: 4th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- (X) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- (X) NUMBER PARKING SPACES () CURB CUTS
- (X) BUILDING ACCESS (X) SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ~~MAY~~ BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 101.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- (X) OTHER - The design professional shall be a registered in Maryland Architect or Engineer. He shall show how they type of construction, the allowable area per floor & the allowable height meet Article 5 of the (con'd below). PERMITS MAY BE APPLIED FOR & ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88. CURRENT BALTIMORE COUNTY BUILDING CODE FOR USE GROUP R-2.

CONTINUED *****

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 18, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for October 23, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 136, 144, 146, 149 and 150.

For Items 140 and 145, County Review Group Meetings may be required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Rec 10/23/90
[Signature]

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 7, 1992

(410) 887-3353

Stephen W. Lafferty, Esquire
Margolis, Pritzker & Epstein
Suite 100, 405 E. Joppa Road
Baltimore, MD 21204

RE: Benedictine Sisters of Baltimore, Inc.
Case No. 91-194-SPH
9th Election District

Dear Mr. Lafferty:

I am in receipt of your letter to the Zoning Commissioner, dated April 3, 1992, in which you request an extension for utilization from 2 to 5 years for the building of additions granted in Case No. 91-194-SPH.

As no hearing is required, as explained below, I will take the liberty to respond. Please be advised that Section 502.3, Baltimore County Zoning Regulations (BCZR) is applicable only to those decisions granting special exceptions, and is therefore inapplicable to your request. The then Deputy Zoning Commissioner, in the case at issue, agreed that the nonconforming use existed on site and granted approval of the proposed addition as, in her opinion, she determined that the expansion conformed to RTA use requirements to the extent possible, as the BCZR so requires. The zoning laws do not require a special exception for such a determination.

Therefore, inasmuch as there are no time constraints other than for special exceptions (Section 502.3, BCZR) or those specifically delineated by the Zoning Commissioner in a decision, other approvals run with the land. There is no statute of limitation as to their utilization. See, e.g., *Farrell v. Zoning Bd.*, 475 A2d. 94 (1984), *Defelice v. Zoning Bd.*, 523 A2d. 1086 (1987); although these are New Jersey cases, the law is the same in Maryland; see also *Rathkopf, Zoning and Planning*, 4ed., Section 38.07, p 38-79.

The approval for the additions granted in Case No. 91-194-SPH does not depend on utilization for its continued validity; rather, it runs with the land and shall remain valid unless changed by a subsequent order of the Zoning Commissioner upon request of the property owner or voluntarily abandoned, which must be effected by an overt act of the property owner.

Stephen W. Lafferty, Esquire
Page Two
April 7, 1992

This letter will serve as the County's acknowledgement that your client intends to maintain the relief granted in Case No. 91-194-SPH.

If you have any questions, please feel free to contact me.

Sincerely,

[Signature]
ARNOLD JABLON
Director

AJ:eoh

txteh/91194SPH/9

LAW OFFICES
MARGOLIS, PRITZKER & EPSTEIN, P.A.

SUITE 100
405 EAST JOPPA ROAD
TOWSON, MARYLAND 21204

TELEPHONE
(410) 820-2222
TELEFAX
(410) 937-0008

STEPHEN W. LAFFERTY

April 3, 1992

Mr. Lawrence Schmidt
Baltimore County Zoning Commissioner
Baltimore County Office Building
110 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Benedictine Sisters of Baltimore, Inc.
2229 W. Joppa Road, Lutherville, Md.
Case Number: 91-194-SPH

Dear Mr. Schmidt:

The Petitioner in the above case, the Benedictine Sisters of Baltimore, Inc. ("Sisters"), requested a special hearing to approve the expansion of an existing building for religious worship which is located in a DR 1 Zone. The Sisters were seeking to place an addition, including a chapel, on the existing convent building; this required a determination whether their proposal complied, to the extent possible, with the RTA use requirements.

Following a hearing on this matter, Deputy Zoning Commissioner Ann M. Nastarowicz issued an Order on February 12, 1991 granting the Petitioner's request, subject to various restrictions.

As of this date, the Sisters have taken no actions to obtain approval for this development nor have they requested that any permits be issued. In fact, the Sisters are now contemplating construction that would be smaller than that which was initially approved by the Deputy Zoning Commissioner.

The Sisters, like many other property owners, are also reconsidering the specific needs in light of the current economic climate. Although they are committed to adding to their current building, they are not certain that they can proceed at this point in time. In fact, the Sisters may not proceed by February 11, 1993, which would be two years after the date when the Final Order was issued.

Based upon the language in the Baltimore County Zoning Regulations, Section 1B01.1.B, I believe that the determination of the Deputy Zoning Commissioner can be treated as a special exception since the issue is the construction within a residential transition area. The BCZR, Section 502.3, states that, when a special

Mr. Lawrence Schmidt
Baltimore County Zoning Commissioner
April 3, 1992
Page 2

exception has not been utilized within a period of two years from the date of the Final Order, the Zoning Commissioner may authorize an extension for the expiration of the period of time not to exceed five years from the date of the final order. As the BCZR is otherwise silent regarding the duration of time in which a decision upon a Special Hearing must be utilized, it appears that the determination by the Deputy Zoning Commissioner in this matter should be treated in the same manner as a special exception.

Therefore, on behalf of my clients, I request that the Zoning Commissioner extend, for a period of five years from February 12, 1991 the time during which the Petitioner, Benedictine Sisters of Baltimore, Inc., must utilize the rights granted to them by the Deputy Zoning Commissioner.

I am most willing to meet and discuss this request with you. Obviously, an extension of time is vital to my clients, and in light of the absence of opposition at the hearing (except for a neighbor whose concerns were incorporated into the Deputy Zoning Commissioner's findings), such an extension will have no adverse impact upon the surrounding community nor negatively impact the general welfare of the surrounding residential premises.

Thank you for your serious consideration of this requested extension. I look forward to your response.

Very truly yours,
Stephen W. Lafferty
Stephen W. Lafferty

RECEIVED
APR 5 1992

ZONING OFFICE

SWL/tls

cc: Sister Kathleen White, OSB
Mr. Michael Murphy

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Sister Kathleen White, OSB	2227 W. Joppa Rd. Lutherville, MD, OSB
Dr. Th. Benedictine Schaefer, Baltimore	
Michael Murphy	800 N. CHARLES ST. BAL. 21201
Jorgen Jensen	8216 Tally Ho Rd. 21093
Joan Ottobry	2233 W. Joppa Rd. 21093
Joan Ottobry	2233 W. Joppa Rd. 21093
Joan Ottobry	2225 W. Joppa Rd. 21093

Interested Parties
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Ben J. J. O'Donnell, Jr.	4301 Columbia 21210
Jorgen Jensen	8216 Tally Ho Rd. 21093
Joan Ottobry	2233 W. Joppa Rd. 21093
Joan Ottobry	2233 W. Joppa Rd. 21093
Joan Ottobry	2225 W. Joppa Rd. 21093
Joan Ottobry	2225 W. Joppa Rd. 21093



BENEDICTINE SISTERS
EMMANUEL MONASTERY
AERIAL PHOTO
1" = 200' #145

8216 Tally Ho Road
Lutherville, MD. 21093
January 20, 1991

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD. 21204

Re: Case #91-194-SPH

The plans for the intended changes at the Benedictine Sisters' property on Joppa Road was presented to me as a representative of the Heatherfield Association last summer. At that time I expressed the opinion that the proposed changes, as presented to me, would have no impact on our neighborhood. At the Heatherfield Association Executive Board meeting in November I presented the plan to the Board. It was agreed that no objection would be raised to this undertaking.

Very truly yours,
Jorgen Jensen
Jorgen Jensen
President
Heatherfield Association.

PETITIONER'S
EXHIBIT 3

CASE #: 91-194-SPH

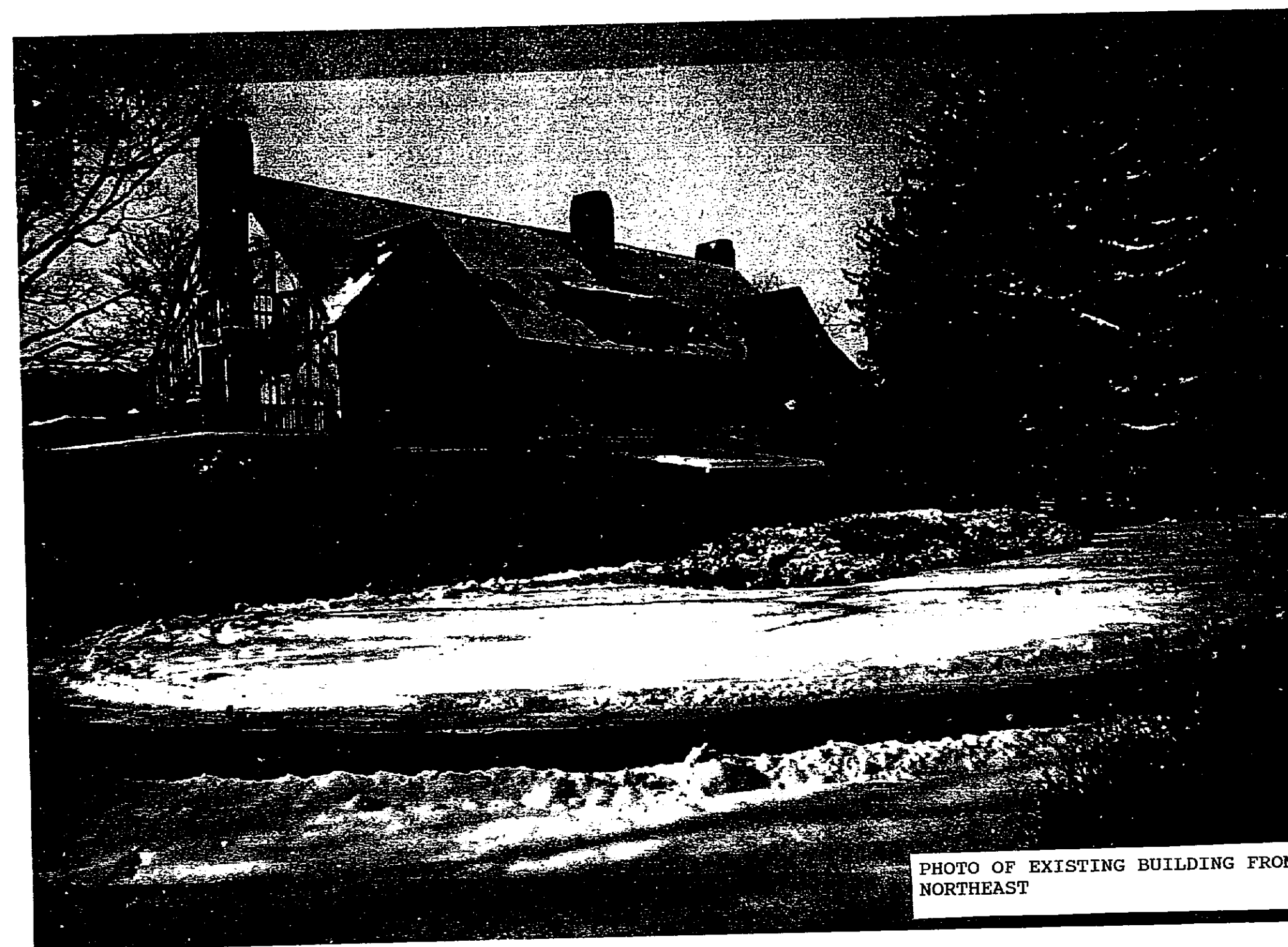


PHOTO OF EXISTING BUILDING FROM
NORTHEAST

PETITIONER'S EXHIBIT # 50

CASE #: 91-194-SPH



PHOTO OF EXISTING BUILDING FROM
NORTHEAST SHOWING CARPORT TO BE
REMOVED FOR PROPOSED ADDITION

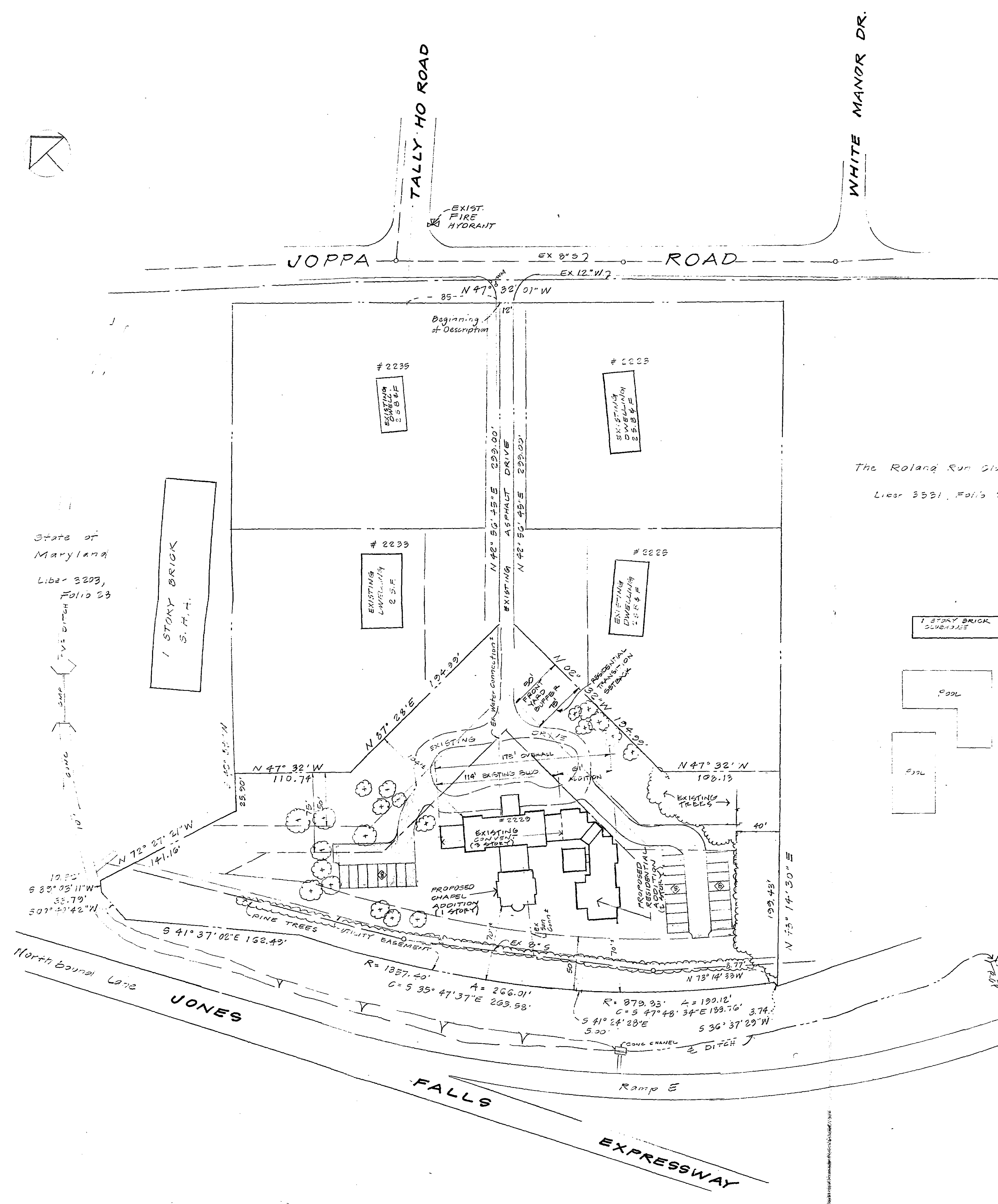
PETITIONER'S EXHIBIT # 53

CASE #: 91-194-SPH

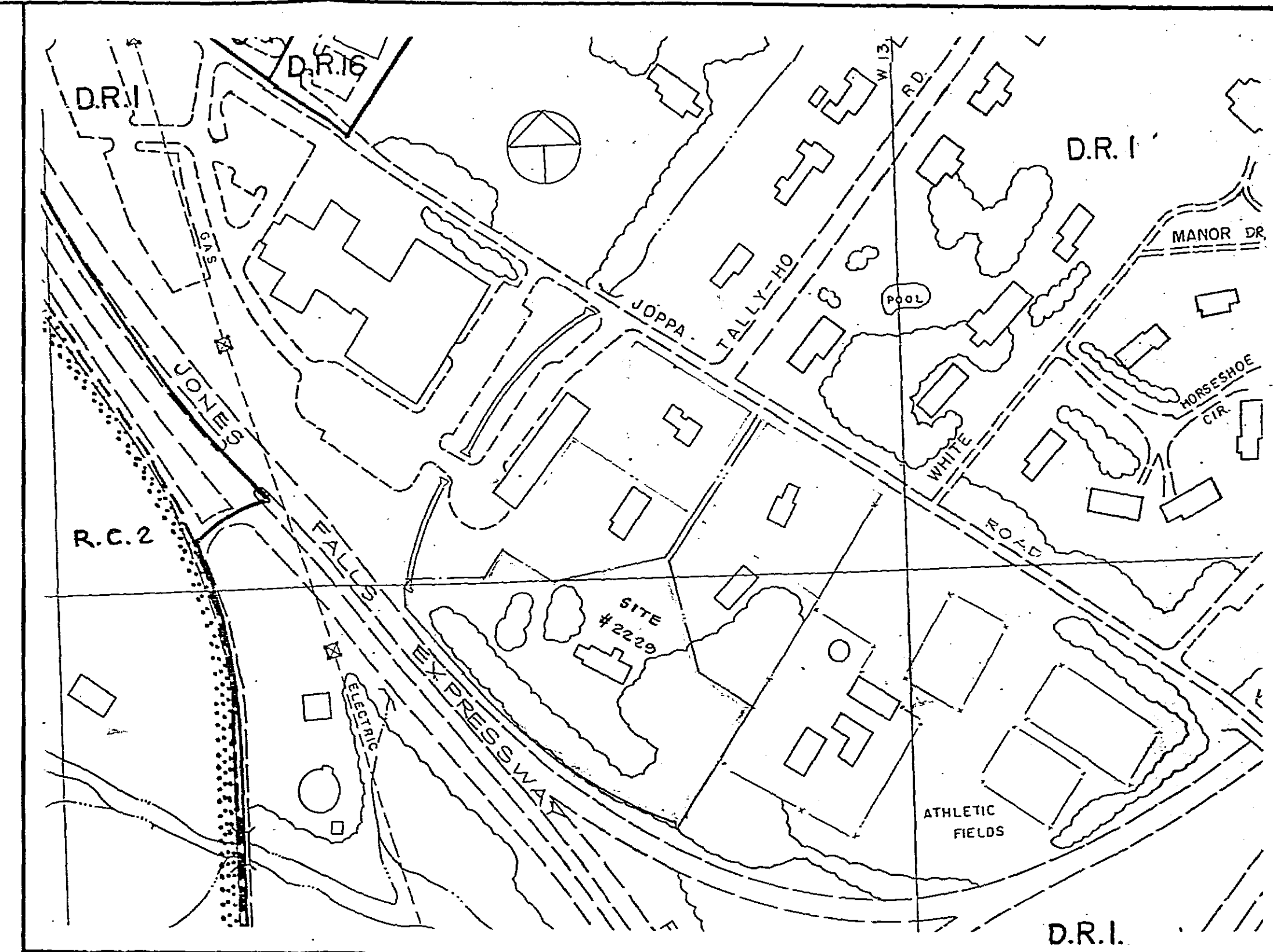


PHOTO OF EXISTING BUILDING FROM
SOUTHWEST

PETITIONER'S EXHIBIT # 50



The Roland Run Div., Inc.
 Liber 3531, Folio 281



ZONING & VICINITY MAP
 1" = 200'

- NOTES:**
- Owner: Benedictine Sisters of Baltimore, Inc.
 Deed Reference: Liber 3531, Folio 281
 Lots 5 "Mill Farm Estates"
 P.B. E.H.K., Jr. 40 Folio 107
 - Existing Zoning: D.R.1
 - Existing Use: Convent
 - Site is served by public water and sewer.
 - Total area of Property: 2.8 acres, ±
 - Property outline shown hereon is from available data and not from a property line survey.
 - Parking Data:
 Based on number of bedrooms,
 Existing 12 rooms, Proposed 12 rooms,
 Total 24 rooms
 24 parking spaces required
 Typical space shown: 9'x20', all spaces to be striped.
 - Occupancy permit from a single family dwelling to a convent issued August 18, 1987.
 - The property shown hereon is subject to any and all agreements, easements, rights of way and/or covenants of record and law.
 - Existing trees shown to remain.
 - Requested exceptions to RTA restrictions:
 a. Request that length of elevation facing north be 175'.
 Note that existing north facing elevation is 114'.
 Note that existing north facing elevation including carport is 145'.
 b. Request that existing drive be permitted within required 50' buffer area.

91-194-SPH

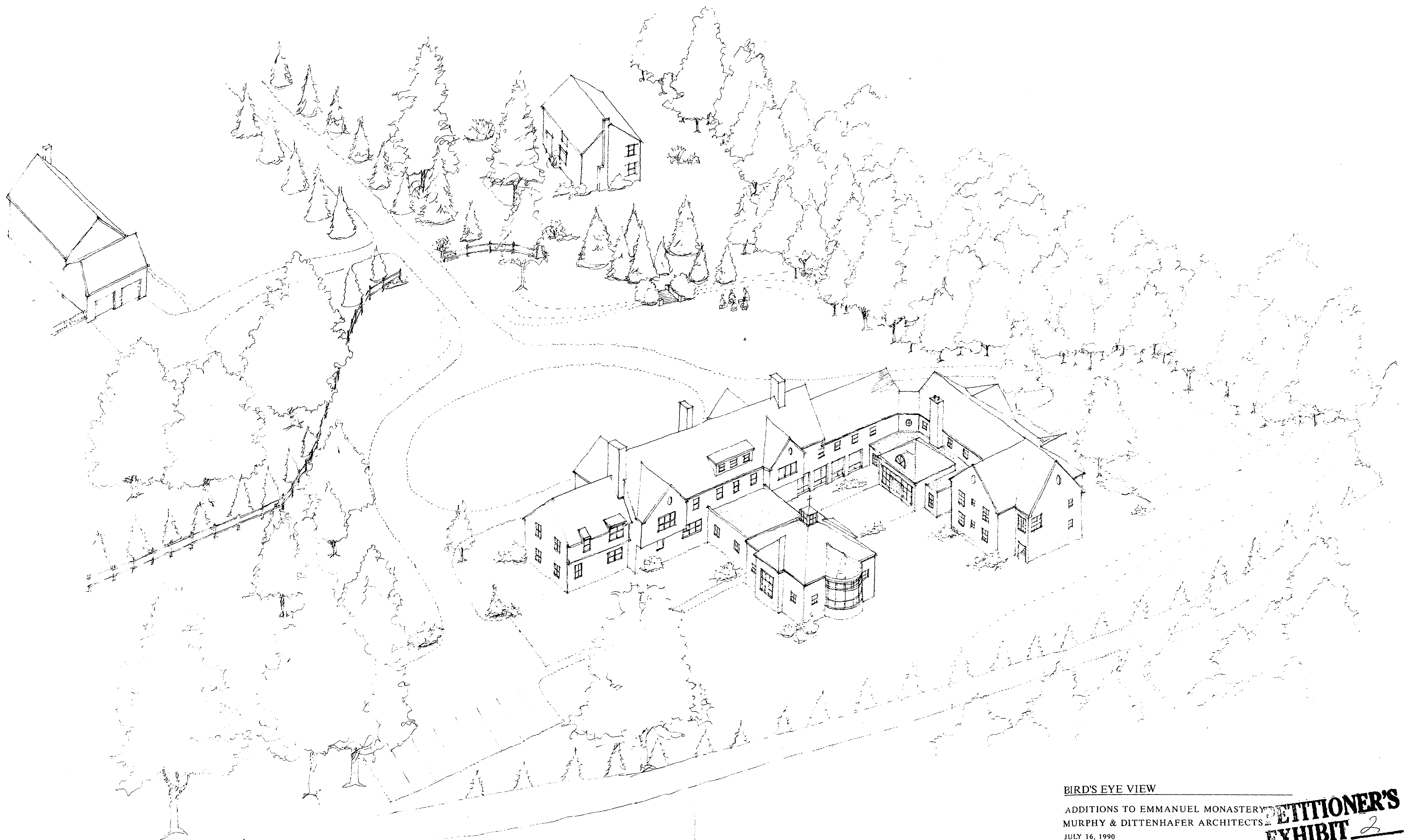
PLAT TO ACCOMPANY PETITION
 FOR A SPECIAL HEARING
 BENEDICTINE SISTERS OF BALTIMORE
 EMMANUEL MONASTERY
 2229 W. JOPPA ROAD - LUTHERVILLE
 9TH ELECTION DISTRICT - BALTIMORE CO., MD.
 4TH COUNCILMANIC DISTRICT

Scale: 1" = 50'
 Prepared by:
 H. MALMUD & ASSOCIATES, INC.
 100 Church Lane
 Baltimore, Maryland
 Telephone (301) 652-1111

145

EXHIBIT 1

8704



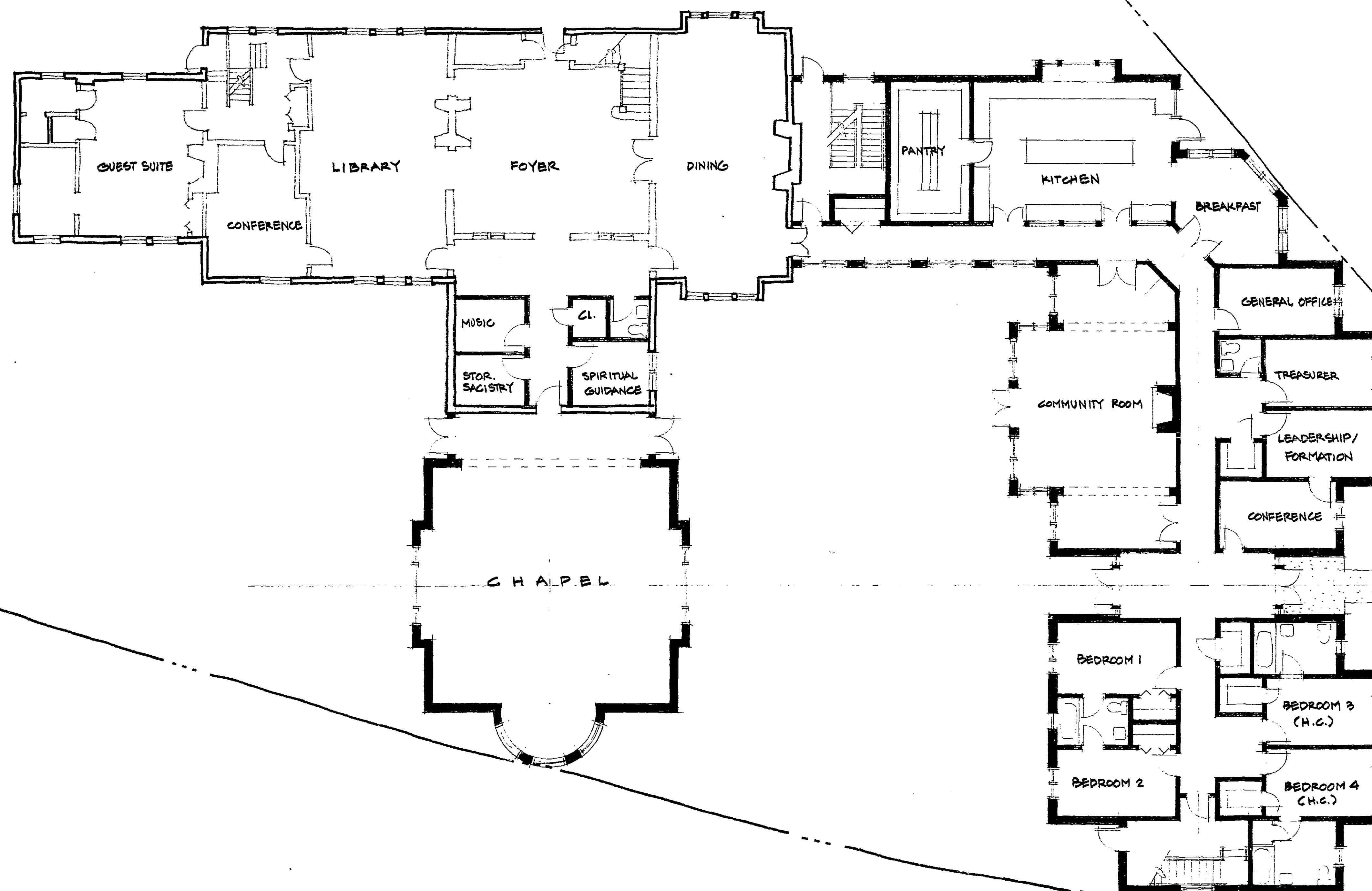
BIRD'S EYE VIEW

ADDITIONS TO EMMANUEL MONASTERY
MURPHY & DITTENHAFFER ARCHITECTS
JULY 16, 1990

PETITIONER'S
EXHIBIT 2

91-194-SPH

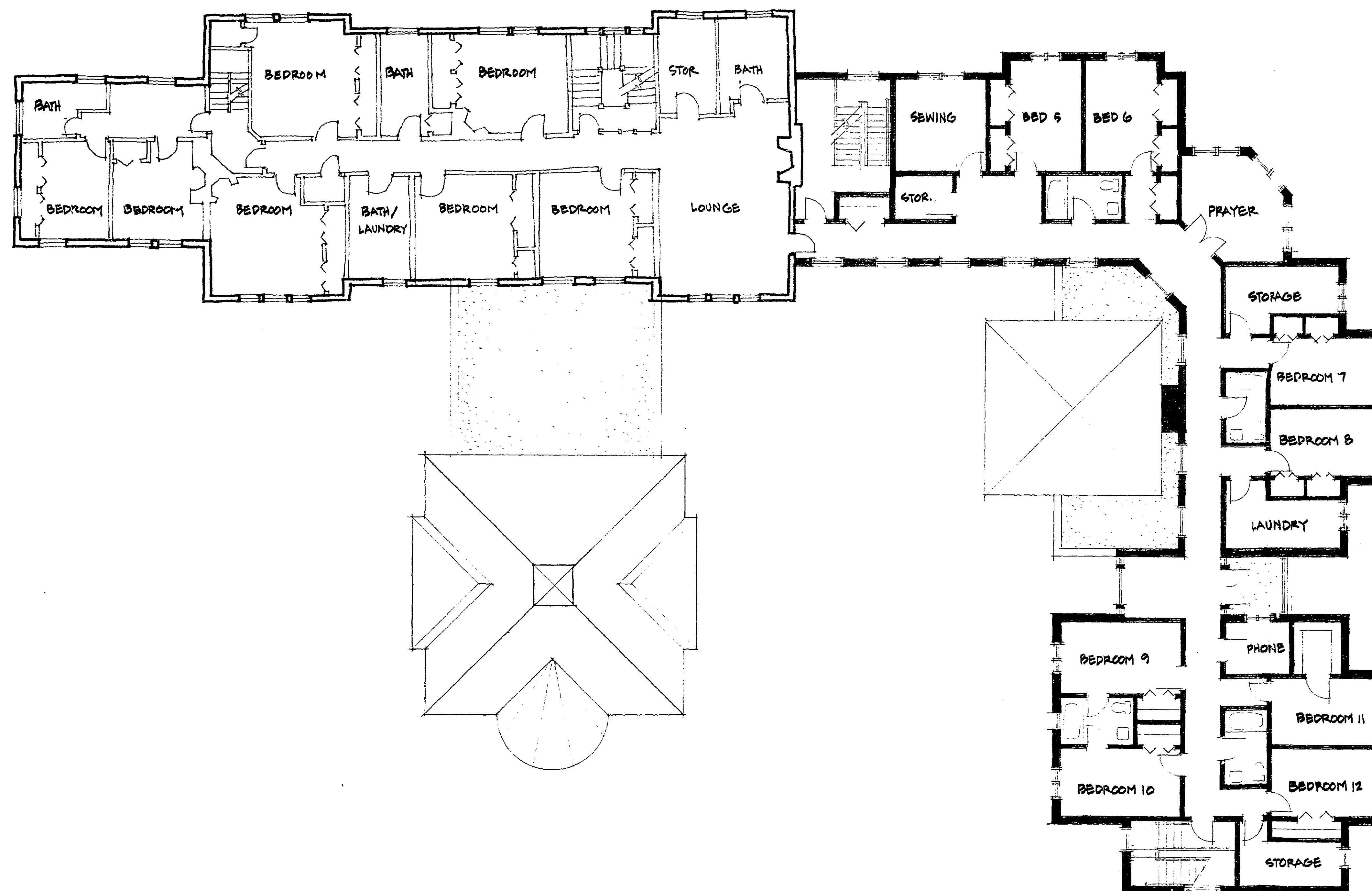
145



FIRST FLOOR PLAN SCALE: 1/8" = 1'-0"

ADDITIONS TO EMMANUEL MONASTERY
MURPHY AND DITTENHAFFER ARCHITECTS
JULY 16, 1990

PETITIONER'S
EXHIBIT 4A



SECOND FLOOR PLAN SCALE: 1/8" = 1'-0"

ADDITIONS TO EMMANUEL MONASTERY
MURPHY AND DITTENHAFFER ARCHITECTS
JULY 16, 1990

PETITIONER'S
EXHIBIT AB



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 5, 1998

Laurie D. Dickeson, Project Architect
Murphy & Dittenhafer Architects
800 North Charles Street
Baltimore, MD 21201

Dear Ms. Dickeson:

RE: Spirit and Intent, Emmanuel Monastery, 2229 West Joppa Road, Zoning Case
Number 91-194-SPH, 9th Election District

I have reviewed your request of September 15, 1998, as supplemented with
the site plans received several days later, and am of the opinion that the proposed
addition is within the spirit and intent of the above referenced zoning case and the
Baltimore County Zoning Regulations.

When applying for building permits, a copy of this letter must be incorporated
into the permit site plan.

I trust that the information set forth in this letter is sufficiently detailed and
responsive to the request. If you need further information or have any questions, please
do not hesitate to contact me at 410-887-3391.

Very truly yours,

Joseph C. Merrey
Joseph C. Merrey
Planner II
Zoning Review

JCM:scj

c: Zoning Case 91-194-SPH

Come visit the County's Website at www.co.ba.md.us

Printed with Soybean Ink
on Recycled Paper

Murphy & Dittenhafer
ARCHITECTS

September 15, 1998

Mr. Arnold Jablon, Director
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Emmanuel Monastery
2229 W. Joppa Road
Lutherville, MD 21093
Zoning Case Number 91-194-SPH

Dear Mr. Jablon:

We are the architects for this project, an addition to a residential facility for a
community of Benedictine sisters. The project was presented to the Development
Review Committee on July 15, 1998, with an application for a Limited Exemption to
the review process. The Committee made no objection to the plan, but asked that
we demonstrate to you that the current project is within the spirit and intent of an
earlier plan which was approved by the Deputy Zoning Commissioner in an order
issued February 12, 1991.

At that time, the project was the subject of a Special Hearing to approve the existing
building for religious worship in a D.R. 1 zone and to approve the proposed
additions. The project was put on hold while construction funds were raised; the
additions proposed at that time were not constructed.

EXISTING BUILDING

The current facility is a three-story frame building with a basement, formerly a
single-family home, which was converted in 1988 into a twelve-bedroom residence
for the sisters. There are 3,374 SF on the first floor, 3,003 SF on the second floor,
and 2,009 SF on the third floor. The 2.8 acre property is in a D.R. 1 zone, as are the
adjacent residential properties.

PREVIOUS ADDITION PROPOSED

The addition proposed in 1991 was to contain 12 bedrooms, resulting in a total of 24.
There were also 24 parking spaces required. The project included a chapel for use
by the convent community and their invited guests, a community room for the
sisters, and office space for the Monastery.

CURRENT PROPOSED ADDITION

The addition as it is now designed is smaller than the previous plan. The three-story
addition will include four bedrooms with adjoining baths, a new community room, a
new chapel, two offices, a workshop, a small laundry room, and a handicapped
accessible toilet room for visitors to the Monastery. This addition will add 4,747 SF
to the first level, 1,073 SF to the second level, and 580 SF to the third level. The
resulting total square footages will be 6,521 SF on the first floor, 4,076 SF on the
second floor, and 2,589 SF on the third floor. The addition will replace an existing

Murphy & Dittenhafer, Inc.
800 North Charles Street
Baltimore, Maryland 21201
410-887-3391 MD
717-848-8827 PA
180-887-1671 FAX

Mr. Arnold Jablon, 9-15-98, page 2

carport, eliminating six existing parking spaces. Sixteen off-street parking spaces
are proposed to meet the required number, and will be located southeast of the
addition, accessed from the existing circular drive.

Although the plan of the project has changed slightly from the design presented at
the special hearing, the overall size of the addition is smaller; there are fewer
bedrooms proposed, and fewer parking spaces required. The additions are on the
side of the building farthest from the surrounding residential uses, and their facades will
be compatible with the existing building. The proposed use is unchanged; the
Chapel will be limited to use by the residents of the convent and their guests, and
will not be open to the general public. The project complies with RTA use
requirements to the extent possible, and is compatible with the character of the
surrounding residential community. We hope you will concur that the project is
within the spirit and intent of the previously approved plan.

Enclosed are copies of the current site plan and first level plan for the project, as
well as the site plan approved in 1991.

We would appreciate very much your expeditious response to this letter. We were
not previously aware that your response to this letter would be required before filing
for the building permit.

Thank you for your consideration. Please contact me if you have any questions.

Sincerely,

Laurie D. Dickeson
Laurie D. Dickeson
Project Architect

Enclosures

K:\EM7067\CORRESPONDING\LAJ0915.DOC